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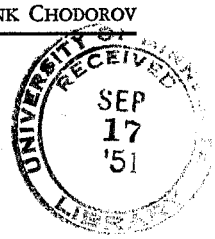

CONGRESS ON TRIAL

By Frank Chodorov

I move the abolition of Congress.

Appended to this motion is a proviso, to wit: that the death sentence be held in abeyance for a probationary period, during which the body as a whole, not only a few fundamentalist members, may demonstrate a capacity for its appointed job of watchdog of our presumably "unalienable rights". To be sure, if during that period the American people demonstrate that they have given up on the doctrine of "unalienable rights" -- thus agreeing with the professors -- then my motion passes without the formality of a vote. Then, Congress is finished.

My proposition, in short, comes to this: There is no need for Congress if Americans are agreed that life, liberty and the pursuit of happiness are packaged gifts from the State. For, by definition, Congress is a block to the power of the State and therefore an interference with its rights-giving potential. If the people are wrong, it is their privilege to be wrong. In the meantime, while they hold to the doctrine of State-given rights, Congress should remove itself from the path of what goes by the name of "social progress"; it has no purpose in the scheme of things. It should be cut out before it becomes, like the Roman Senate under the Caesars, a rotting vermiform appendix in the body politic.

II

Congress came upon us out of a political theory, widely held in the latter part of the eighteenth century: that sovereignty resides in the citizen. In order that he might the better get on with his private affairs, the theory held, this citizen makes a loan of his sovereignty to an elected agent, who is thus put in position to run the public establishment in such a way as to prosper the citizen's main purpose. Should the agent prove incompetent or derelict in the performance of this duty, the loan of sovereignty is withdrawn and entrusted to another hired hand.

That theory is now as dead as the one that obtained for a couple of centuries previously, namely, that sovereignty is a matter of divine intercession. And for good reason.

A sovereign person is one who assumes responsibility for his live-

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lihood and his destiny; that definition rules out the infant, the gutter-bum and the citizen who lives and expects to live by handouts. Now, one would have to be a fool or a hardy liar to deny the fact that this country of ours is made up largely of handout beneficiaries. It could not be otherwise. What with the State laying its hands on one-third of all we produce, living by its grace must be the regular order. But, to speak of the tin-cup beggar as a sovereign citizen is to speak nonsense.

The American citizen, modern edition, comes by his psychology of mendicancy long before he votes; voting is, in theory, the act of transferring sovereignty. Shortly after he has learned to walk, his mind is entrusted to a tax-supported institution (commonly called a school of learning), where its furniture is arranged to suit the pleasure of the State; meanwhile, his nutritive requirements are supplied or augmented by the Department of Agriculture. His training in dependency is continued right through adolescence, and if it is "higher learning" he craves, the State will satisfy him at a land-grant or otherwise subsidized college, where the virtues of the State will be spelled out for him. Unless an ingrained pertinacity, or a contrary home influence, protects him from it, this training will make him a confirmed addict of Statism.

The highest ideal held forth for the embryonic Bachelor of Arts is a swivel-chair existence in the bureaucracy. If things fall out so that he misses that goal, he is reasonably assured of a few years in the conscript army, at a crap-shooting stipend with all expenses paid, and if he is fortunate enough to be incapacitated in line of duty (or can successfully establish such origin), he will have no further need of self-reliance. Otherwise, his discharge from the army carries with it the promise of one subvention after another . . . In case the presumably sovereign American is by-passed by these special subventions, there is always social security, unemployment insurance, relief checks and the certainty of employment at a legally-fixed minimum wage.

Thus, the theoretical maker of government is nurtured in wardship to government. One who thinks as a ward cannot act as a sovereign.

School over, some three million of these Americans actually achieve membership in the bureaucracy (local and federal), where the habit of living by the product of others is hardened by the adulation of those who provide their keep. With their dependents, who not only share their emoluments but also their frame of mind, they form an entrenched pay roll aristocracy. If nature did endow any of these with a sense of self-reliance (which is the prerequisite of citizen-sovereignty), the endowment is well dissipated in the adjustment to glamorized dependency.

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As for the prideful American entrepreneur, he only thinks he is in business "for himself". Things being as they are, he operates his business for the benefit of the State for approximately four months in every year, and for much of the rest of the time he is an involuntary and unpaid tax-collector. Those are the conditions on which he is permitted to run his shop. If he aspires to the title of "captain of industry", he must develop the skill of beggary. The City of Washington bears testimony to this; a considerable segment of its population -- especially its "floating" population -- consists of businessmen, or their agents, bent on obtaining government subsidies, privileges or contracts. Their obsequiousness is most elaborate and quite ingenious, but the spirit of it is not unlike the spirit of panhandling. What else can one expect? The State is the principal customer of industry, and the customer is notoriously always right.

The point is, whether by choice or by circumstance, every American, from housemaid to millionaire, is subject to the will of the State, and operates only within the framework of that will. We are sovereign-subjects, not citizen-sovereigns.

III

Another anachronism that supports Congress is the discarded doctrine of limited government. In the days of the Founding Fathers it was an axiom that government is at best a necessary evil, a restraint we voluntarily put on our inclination to transgress one another's rights; it has no business, the axiom held, other than the protection of life and property. The Fathers, who were quite wise in the ways of politics, knew that it was habitual with the trustees of power to use it for the violation of the very rights they were presumed to protect. As a preventative, they hit upon the scheme of "checks and balances" -- the most important of which was a Congressional brake on the ambitions of the Executive branch, via control of the public purse.

This concept of limited government has gone by the boards. Our "best brains" now declare the rights of life and property to be metaphysical fictions; hence, there is nothing for the government to protect. On the other hand, these professors assert that government is the sole instrument for improving the "general good", with itself the sole judge of what that might be. It follows that any restraint on the powers of the government is anti-social. Where does that leave Congress?

When you come down to it, Congress has itself too frequently relinquished its historic role, these past two decades, showing that theory must give way to the force of circumstances -- or, perhaps, to lack of

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integrity. We have seen how the State can make war or peace without a by-your-leave. Congress may rant about it, but in the end it must rubber-stamp the fait accompli. In carrying out its function as pater familias, the State is compelled, under our present machinery, to present its plans to the legislative body in the form of a bill; Congress proceeds to "play government" by holding debates and hearings, even though assent too often is a foregone conclusion. (The "worst" 80th Congress was a notable and refreshing exception to this rule.)

Why is this so? Simply because the human Congressman is intent on "bringing home the bacon", of which commodity the State has a monopoly. There will be nothing to bring home if one irritates the monopolist too much. Besides, the State has at its command a propaganda machinery that can create a "climate" quite unfavorable to a recalcitrant Congressman, thus threatening exile from The Hill. Better be good.

IV

All in all, the case for Congress is in bad shape. It is increasingly becoming a political anomaly, and its future seems to be that of Hitler's Reichstag, a living corpse. It would be more sanitary to lay the body to rest before it begins to putrefy.

However, even though the evidence calls for the abolition of Congress, it is still inferential evidence, and such a constitutional change calls for the direct dictum of a popular plebiscite. Congress itself should demand it. Therefore, I urge a probationary period of two years.

Suppose that, beginning with the reconstruction of Congress at the next election, the members were to embark on a program of cutting down the Executive to manageable size. That calls for the abolition of its many independent-of-Congress agencies. This Congress can do by the ruthless use of the one power it has left, that of voting appropriations. No money, not one cent, for the Reconstruction Finance Corporation; likewise for ECA, HOLC, OPS -- all of them, going down the alphabetical line.

All this should be done not in the interest of economy, but on the much sounder ground of restoring our liberty. Every agency represents an accretion of political power, Congress should argue, and that means a lessening of social power; every agency is a threat to the rights of the citizen, as enunciated in the Constitution. Out with the agencies.

Should the people demur to this return to first principles, they would in effect renounce their claim to all rights except the last one -- that of self-enslavement. For the exercise of that right they need no Congress.

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Not Merely Gossip *A Supplement to* Human Events Vol. VIII, No. 36

By Frank C. Hanighen September 5, 1951

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THE CASE OF THE MAGIC KNIFE: It is no secret in this City of Secrets that experts deem our stock pile of strategic materials inadequate for all-out, protracted war. It is, however, not so well known that the supply of one of these materials -- tungsten -- has been endangered, need not be endangered, but will continue to be endangered if the State Department follows its own peculiar way.

Hence, the current phase of the fabulous story of this precious substance -- on which our pace of production and efficiency depend -- has come to involve China, Korea, Spain and the survival, in Mr. Acheson's diplomatic emporium, of policies inherited from our former association with the Kremlin.

The story of tungsten is, indeed, romantic. It is literally true that battles were fought in World War II, caravans were set in motion and a prodigious air lift over the "Himalayan hump" was maintained to secure a supply of this precious mineral. There was a vital reason for this heroic effort to keep the ore of tungsten flowing to the workshops of the U.S.A. It was this.

Tungsten is the basic ingredient in the alloy used in the "magic knife". This extraordinary cutting tool severs thick steel plates as easily as a kitchen utensil goes through butter. It is calculated that, without tungsten, the time consumed in such a key operation as cutting steel plates several inches thick would be multiplied six times. Technicians say that without this knife, American mass production would suffer severely.

Now, we used to obtain the bulk of this material from southern China. But that country, as a result of the odd little antics of the Administration, is now in the hands of the Reds. Yet, the U.S. faces the stark fact that tungsten absolutely must be obtained and generously stock-piled, against the possibility of a big war. We need a lot of it. Where will we get it?

Before World War II, southern China provided about 70 per cent of what we required. Now, with that area cut off, we are beating the bushes in Bolivia, Brazil and other areas where various difficulties make the quest discouraging. Meanwhile, our tungsten needs have increased as a result of certain military requirements.

But why -- mineral experts ask with exasperation -- do we not seek tungsten in the one place where it exists in large quantity and in good quality? For that very tungsten potential is found in a country with which we are supposed to be cementing ties in the interest of our security -- in Spain.

The Spanish workings of wolfram (ore of tungsten) were tapped for a while by the Germans in World War II, and these mines (according to American mining engineers), after the expenditure of a moderate amount of capital, could go far to meet our tungsten deficit. However, it is a well-known fact that American capital will not move into any country on which the State Department frowns -- and that is the case, still, in regard to Spain. So, nothing is done about this matter.

But Mr. Harriman's global planning organization in the White House does not frown on the expenditure of capital in -- of all places -- Korea. Some miles north of Pusan there exists a tungsten mine on which is being lavished ECA funds to resume and expand its production -- as the substitute for the tungsten lost in China.

Here, then, is a signal example of Government planning. The Korean mine is near the fighting front; it stands in danger of bombing; the security of communications to the coast are precarious; it is thousands of miles away. On the other hand, the mines in southwestern Spain are far from possible fields of military action, and are within reasonable shipping distance of the tungsten refineries in the U.S.

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Thus the story to date. But, one wry comment is being made: there apparently is no "magic knife" of ideas which has so far proved capable of cutting out the obsession of our political planners that Spain is a liability and Korea an asset.

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EISENHOWER CAMP: It may well be that the next Gallup poll on the subject will show no reduction in the popularity of General Eisenhower. But that organization tests the opinion of the general public. It is important -- and significant -- to find that there has developed a change in the mood of the professional politicians, the men scheduled to serve as delegates to the convention, who have been strong boosters for the General as the party nominee. After canvassing the refreshment parlors of eastern Union League Clubs (a pleasant but not exactly exciting pursuit these days), we come up with the following observations:

(1) It may have been the Luther Huston article in the New York Times of August 19 (mentioned in this column on August 22), or it may have been simply a liver condition. Nevertheless, the strong affirmations that Ike could win the Presidency beyond a shadow of a doubt are less frequently heard. In their place are such qualified obiter dicta as, "I think he could win all right, but . . ." etc.

(2) One remark typical of those who like to "play liberal" is that some of the General's oratorical condemnations of the "welfare state" of two years ago might be brought up (if he should be nominated) to haunt him. These "play liberal" politicos remark that in New York State, at any rate, there are a lot of people who frankly like the "welfare state". (An interesting GOP symptom: it shows that the idea -- which should long ago have been discredited -- of keying a campaign to the ideas of the Left-wing section of New York's voting population still survives.)

(3) Oddly enough, other boosters of the General express fear of how "reactionaries will react". Specifically, they are apprehensive that the Southerners may recall how Eisenhower started the process of removing segregation in the armed forces. It has been assumed until now that Southerners are strong for the General.

(4) We ran into a couple of "professionals", effusive supporters of the General, who have taken pencil and paper and engaged in some calculations about the attitude of delegates a year hence. They come to the conclusion that if Ike should delay announcing his candidacy until next spring, his strength in delegates as his name comes to the good old 3rd ballot will not be sufficiently impressive to start a stampede for him. We have not seen the arithmetic of this calculation, but we have met one backer of the General who said wryly that the delegates usually become a bit tired of putative candidates who won't announce their candidacies.

(5) Which one of those political figures now publicly for Eisenhower (and privately proclaiming that Taft couldn't win the election) would accept a Taft invitation to make a pre-convention deal to run as second man on his ticket? This little consideration (similar ones always appear in presidential years) makes the professionals button up their lips and look vexed. However, in certain convivial corners of the Press Club it provokes coarse merriment and speculation about the sincerity of certain "band wagon climbers" now so vociferous for Ike.

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INVESTIGATION SEASON: An air of anticipation stirs those watching the hearings of the Internal Security Committee headed by Senator McCarran. In a sober manner, the group has been gradually building up evidence of subversive influences on our foreign policy in the Far East. No one in particular has been singled out for attention. But, as one observer remarked, "the noose is tightening". It may be tomorrow -- it may not be until October. But the process is relentless.

The situation of three years ago repeatedly comes to mind. In August of 1948, the House Committee on Un-American Activities was, week by week, examining the trail

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of Alger Hiss. That research ceased when GOP presidential candidate Thomas E. Dewey urged members to postpone hearings until after the election. In his fatuity, Dewey wanted to avoid offending Democrats and those who revered the memory of F.D.R. and his associations, in order to capture normally Democratic votes. But after the elections the research resumed. Then, the "pumpkin papers" provided the climax. Will the present deliberate process of the McCarran Committee end in a similar dramatic exposure?

The attitude of the Administration is suspiciously suggestive. As the noose continued to tighten, the President made a speech to the American Legion gathering in which he attacked "McCarthyism". As any of his political advisers could have predicted, the speech was coldly received by the Legionnaires. Why did he do it? Meanwhile, in social gatherings of Administration people, certain individuals who are "on the spot" are mentioned in a slighting way and criticized for being "indiscreet". Will these individuals be "thrown to the dogs"? Signs like these cannot be overlooked.

What will be the next sensation, comparable to that of the "pumpkin papers"? Will the Committee name some individual as the "American Sorge"? (Sorge, the Communist spy in Japan influenced Japanese foreign policy. See this column on August 15.) Or will the Senators place the responsibility on a group of a half-dozen persons, whose activities paved the way for Pearl Harbor? The air is one of expectancy.

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TREATY WITH JAPAN: How the Executive by-passes the Senate which, according to the Constitution should be made a partner in treaty matters, was underlined by Senator Jenner on September 4. The Indianan sharply pointed this out, commenting on the proposed bilateral treaty between the U.S. and Japan:

"Immediately after the signing of the peace treaty, we are to sign a treaty of mutual aid with Japan. All our defenses in Asia hang on this treaty. Our troops will have no legal right to stay in Japan after the first of the year. We will have no legal right to the bases we are building. Those rights will be created de novo in the Mutual Aid Treaty. But the text of that treaty is not available to members of the United States Senate.

"It is 'classified' material, for the eyes of the State Department personnel and their satellite columnists, but it is not available to members of the Senate, to members of our free press or to the American people. I want to know one thing about that treaty. Are we negotiating for American troops and American bases in Japan? Or, is there an escape clause by which we will soon find we have only UN troops and UN bases there?"

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COPPER STRIKE: A week that witnessed a stepping up of war against the Communists in Korea also beheld Secretary of Labor Tobin in an act of assailing those who assail the Communist Fifth Column in America. This member of the President's cabinet selected the theme, despite the fact that events had presented his speech-writer with a made-to-order subject -- the copper strike.

The International Mill, Mine and Smelter Workers Union, which has played the dominant role in running the strike, has long been classified, by all those who are familiar with the intricacies of the American labor movement, as "Left wing". This Union has been cited as a Communist Front by the House Un-American Activities Committee, and was thrown out of the CIO for the same reason.

There is no doubt about the serious impact of the strike on the defense program. Copper is, indeed, a critical material today. Nevertheless, the Union -- with such a pedigree -- called the miners out on strike. One may be pardoned if one rubs a dimpled, innocent chin and wonders whether there be some connection between the

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strike and the fact that Moscow does not exactly mind. And one may marvel a bit at Mr. Tobin's choice of a theme for his speech.

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TRUE BLUE: The first function of the government, say some theorists, is to protect property. Well, it always does. The uniformed guards that infest official buildings, the veritable army that surrounds the White House, give ample evidence of the government's concern for property -- its own.

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BOOTLEGGING WITHOUT PROHIBITION: The present federal liquor tax is $9 per barrel. The Administration has asked that this be raised to $12. The House has voted one-half of this increase, the Senate is expected to concur, according to the Wall Street Journal (August 30). Meanwhile, moonshining is on the increase, as we must deduce from the frequent seizures of illicit stills reported in the public press. It is impossible to record the size of this business. The U.S. Treasury's Alcohol Tax Unit offers an estimate, based on the number of stills captured in 1950: these had a possible productive capacity on which a tax of two billion dollars would have been collected if they were operated legally. Most likely, the stills did not operate to full capacity; but, what did the undetected stills produce?

When prohibition was repealed, the federal tax on liquor was only $2 per barrel. Very few stills were seized in 1934; moonshining did not amount to much, because with a low tax the illegal producer could not offer the consumer any bargain. As the taxes rose, the bootlegger found a market. The proposed increase in the tax should warm the cockles of his heart even more than his stuff, if he drinks it. (Putting aside the commercial moonshiners, how many farmers who like a nip are evading the tax-loaded price by making a little liquor for their own consumption?)

Obviously, lower taxes would discourage moonshining and, consequently, increase the tax collection. But, that is never obvious to the politician. The A.T.U. is certain that it can "cope with the situation" by increasing its enforcement personnel -- the bureaucrat's stock cure-all. Congress will be asked for money to hire 200 additional sleuths in the next two years; it now has about 875, and they seized 10,176 stills last year. Undoubtedly, the larger forces will shut down more stills, but will they discourage moonshining? Not while there is a profit in it. Nor will they divert enough illegal to legal business to increase the tax revenue sufficiently to meet the increased pay roll.

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ON EDUCATION AND ART: An art teacher writes us, in a fine fury. "I say that socialism touches everyone whether he wills it or not. I am a painter; I like the classicist tradition. But everywhere I go, I hear Picasso referred to as the world's 'greatest painter'. The art critics acclaim him as such and no one dares dispute his title lest he be regarded as an ignoramus. And how did this mountebank get his reputation? Well, for one thing, he is a big supporter of the Communist Party in Europe. It's no accident that for years he has got the same kind of build-up from the press that the socialist writers get from the book critics.

"Of course there are other reasons besides the rise of Mr. Picasso to account for the phenomena known as modern painting. One of these is the socialist proposition that everybody is as good as the next fellow and to hell with aristocratic standards. By aristocratic I mean any standard which tends to exclude the mediocre. . . . I can tell you about that well-organized, numerically strong school of 'non-objective' modern painters who dominate every university art department, rule the big shows and through their juries exclude every classic painter who has the temerity to submit his work. How can it be otherwise? Art instruction in practically all the public schools and universities is standardless, without any basis of tradition, nihilistic and revolutionary."

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